



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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IN REPLY PLEASE

REFER TO FILE: **C-1**

May 13, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

ACCEPTANCE OF PUBLIC WORKS CONTRACTS SUPERVISORIAL DISTRICTS 4 AND 5 3 VOTES

IT IS RECOMMENDED THAT YOUR BOARD:

Ratify changes in work and accept completed contract work under the following construction contracts:

Project ID No. RDC0013866 - Nogales Street, et al., vicinity of Rowland Heights (4), Ecology Construction Inc., with changes in the amount of \$9,000.00 and a final contract amount of \$467,112.65 (Partial Acceptance).

Project ID No. WWD3600001 - Romero Canyon Road Water Main Relocation, vicinity of Val Verde (5), A. A. Portanova & Sons, Inc., with changes in the amount of \$3,890.52, and a final contract amount of \$87,040.52.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action is to obtain Board ratification of Director-approved changes in public works contracts and Board acceptance of the work of the contracts in compliance with the provisions of the Public Contract Code. Included in the enclosures are project and contract data, the scope of work of changes to be ratified, and the work of the contracts to be accepted.

The Honorable Board of Supervisors
May 13, 2003
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The Director of Public Works has been authorized by your Board to order changes in work up to \$10,000 for construction contracts. Changes to accommodate field conditions in order to meet the intent of the plans and specifications are not subject to this monetary limitation. Enclosed for your ratification are changes in work which I ordered for Project ID Nos. RDC0013866 and WWD3600001.

The projects have been completed, and it is recommended that your Board accept them on the dates indicated in the enclosures.

Implementation of Strategic Plan Goals

The acceptance of these construction contracts is consistent with the County Strategic Plan Goal of Service Excellence since acceptance of these completed contracts will provide improved infrastructure to better serve the public.

FISCAL IMPACT/FINANCING

The increases to the contract amounts range from \$3,890.52 to \$9,000.00 while the total values of the contracts is \$87,040.52 to \$467,112.65, respectively.

Ratification of the changes in work and acceptance of the work of the respective contracts by your Board is in compliance with the acceptance and prompt payment provisions of the Public Contract Code.

Sufficient funds are available in the Board-approved appropriations for each of the respective projects to cover the costs of the changes and the total value of the contracts. Detailed cost breakdowns for each of the changes together with contract cost summaries are included in the enclosures.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Each of these contracts for the construction of public works improvements was awarded by your Board to the lowest responsible bidder in accordance with the California Public Contract Code, your Board's directives, and as recommended by the Director of Public Works.

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ENVIRONMENTAL DOCUMENTATION

The changes in the work as described above and in the enclosures are within the limits of the Board-approved projects and do not change any conditions which resulted in the original environmental findings.

CONTRACTING PROCESS

Each contract provided that the contractor be compensated for changes in the work as a result of changes to the original plans and specifications or changed conditions encountered during the course of construction. The costs of each of the changes were based on contract unit prices, time and materials methods, or were negotiated under the provisions of the contract specifications. The methods for arriving at the final costs of the changes are included in the enclosures.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Ratification of the requested changes and acceptance of the work of the contracts by your Board will ensure the timely closeout of the respective contracts, releasing Departmental and County assets for other construction-related activities.

CONCLUSION

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

PB:rm

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cc: Chief Administrative Office
County Counsel
Office of Affirmative Action Compliance

ACCEPTANCE OF CONTRACT (PARTIAL)
May 13, 2003

PROJECT ID NO. RDC0013866, NOGALES STREET, ET AL. (in the vicinity of Rowland Heights) Supervisorial District 4

Contractor: Ecology Construction, Inc., 22019 Vanowen Street, Suite F, Canoga Park, California 91303

Project Description:

Reconstruction of center medians, including the reconstruction of curb and gutter; installation of an irrigation system; and planting of trees and shrubs in the center median.

Changes in Work:

| | |
|-----------------------------------|-------------------|
| (1) Variations in Bid Quantities | \$3,040.50 |
| (2) Additional Traffic Control | 2,146.00 |
| (3) Removal of Temporary Striping | <u>3,813.50</u> |
| Total | <u>\$9,000.00</u> |

Description of Changes:

(1) The original contract amount is based upon estimated quantities of the various bid items. The contractor is paid based upon actual quantities used. The increase in contract price reflects the net adjustment due to variations between estimated bid quantities and actual quantities.

(2) In order to minimize impacts to residents and businesses along Colima Road, it was necessary to add additional traffic control measures along the project alignment. It will be necessary to compensate the contractor for this additional work.

(3) It was necessary to have the contractor sandblast and remove temporary detour striping and to sweep the street prior to restriping by Public Works. This work was not shown on the plans.

The costs for Item 1 were based on contract unit prices. The cost for Item 2 was based on time and materials methods as provided in Subsections 3-3 of the contract specifications. The cost for Item 3 was negotiated as provided in Subsection 3-2 of the project specifications.

One additional working day was required because of these changes.

Project Completion Date:

The contractor completed the project on November 8, 2002, in accordance with the plans and specifications. However, the contractor failed to comply with the affirmative action reporting requirements of the contract. We are working with the contractor to resolve this issue. In the interim, \$8,000 is being withheld from the value of the contract.

Rather than delay payment of the retention to the contractor for the completed work, pursuant to Section 7107 of the California Public Contract Code, we recommend that all retention be released with the exception of the affirmative action noncompliance withholding discussed above. When this issue is resolved, we will provide your Board with our recommendation for final acceptance of the work for this contract.

Amount Due Contractor at this Time:

| | |
|--|-------------------------|
| Original contract amount | \$434,449.00 |
| Actual cost of changes in work previously approved by the Board | 31,663.65 |
| Changes in work authorized by Director of Public Works | 9,000.00 |
| Withholding for affirmative action noncompliance | <u>(8,000.00)</u> |
| AMOUNT DUE CONTRACTOR AT THIS TIME | <u>\$467,112.65</u> |

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ACCEPTANCE OF CONTRACT
May 13, 2003

PROJECT ID NO. WWD3600001, ROMERO CANYON ROAD WATER MAIN
RELOCATION (in the vicinity of Val Verde), Supervisorial District 5

Contractor: A. A. Portanova & Sons, Inc., P.O. Box 730, Agoura Hills, California 91376

Project Description:

Construction of a 12" diameter steel water main.

Changes in Work:

| | |
|------------------------------------|-------------------|
| (1) Variations in Bid Quantities | \$1,128.00 |
| (2) Concrete Removal | 1,236.50 |
| (2) Exploratory Excavations | 600.00 |
| (3) Remove and Reinstall Guardrail | 1,398.52 |
| (4) Overtime Inspection | <u>(472.50)</u> |
| Total | <u>\$3,890.52</u> |

Description of Changes:

(1) The original contract amount is based upon estimated quantities of the various bid items. The contractor is paid based upon actual quantities used. The increase in contract price reflects the net adjustment due to variations between estimated bid quantities and actual quantities.

(2) During removal of an existing valve, the contractor encountered a large concrete thrust block that had to be removed in order to complete the work.

(3) In order to verify the depth of the existing telephone lines crossing the proposed water line trench, the contractor was required to perform two exploratory excavations.

(4) In order to install the proposed water line, it was necessary to remove and replace a portion of an existing guardrail. This work was not shown on the plans.

(5) The contractor requested nine hours of overtime inspection, which resulted in a credit to the contract in the amount shown.

The costs for Item 1 were based on contract unit prices. The costs for Items 2 and 4 were based on time and materials methods as provided in Subsection 3-3 of the contract specifications. The costs for Items 3 and 5 were stipulated in the contract specifications.

Seven additional working days were required because of these changes.

Project Completion Date:

The contractor completed the project on March 28, 2003, in accordance with the plans and specifications.

Final Contract Amount:

| | |
|---|------------------------|
| Original contract amount | \$83,150.00 |
| Changes in work authorized by Director of Public Works | <u>3,890.52</u> |
| FINAL CONTRACT AMOUNT | <u>\$87,040.52</u> |

AD:en/rm

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